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IT IS SO ORDERED.
Signed September 14, 2009

A handwritten signature of Arthur S. Weissbrodt in black ink.

Arthur S. Weissbrodt
U.S. Bankruptcy Judge

Attorney for: Secured Creditor,
Wells Fargo Bank N.A. as Trustee for BSSP Trust Series 2007-EMX1, its assignees and/or
successors and the servicing agent Marix Servicing, LLC

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re:
Manuel Mendez Menchaca,

Debtor.

) Case No. 09-55142 W
)
) Chapter 7
)
) RS No. KMR-3597
)
) **ORDER ON MOTION FOR RELIEF**
) **FROM AUTOMATIC STAY**
)
) Date: 08/18/09
) Time: 2:00 pm
) Ctrm: 3020
) Place: 280 S. First Street
) San Jose, CA
)
) Judge: Arthur S. Weissbrodt
)

The motion of Secured Creditor, Wells Fargo Bank N.A. as Trustee for BSSP Trust Series 2007-EMX1, its assignees and/or successors and the servicing agent Marix Servicing, LLC, for relief from the automatic stay came on regularly for hearing by the Court on the date, time and place set forth above, before the Honorable Arthur S. Weissbrodt. Movant, Wells Fargo Bank N.A. as Trustee for BSSP Trust Series 2007-EMX1, its assignees and/or successors and the

1 servicing agent Marix Servicing, LLC appeared by and through its Appearing Attorney on behalf
2 of McCarthy & Holthus, LLP by Mark K. Oto, Esq. All other appearances are as noted in the
3 court record.

4 Upon reading the papers and pleadings on file herein, and upon hearing oral argument
5 and based on the evidence presented, the Court rules as follows:

6 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the automatic stay
7 provisions of 11 U.S.C. § 362 be and are hereby terminated with respect to the interests of
8 Movant, Wells Fargo Bank N.A. as Trustee for BSSP Trust Series 2007-EMX1, its assignees
9 and/or successors and the servicing agent Marix Servicing, LLC, in the real property commonly
10 known as 1122 Santa Fe Way, Salinas, CA 93901.

11 IT IS FURTHER ORDERED that Movant may complete its foreclosure of said real
12 property and proceed with post-foreclosure remedies, including any unlawful detainer action, in
13 accordance with applicable law.

14 IT IS FURTHER ORDERED Movant, at its option, may offer, provide and enter into any
15 potential forbearance agreement, loan modification, refinance agreement or other loan
16 workout/loss mitigation agreement as allowed by state law. The Movant may contact the Debtor
17 via telephone or written correspondence to offer such an agreement. Any such agreement shall
18 be non-recourse unless included in a reaffirmation agreement.

19 IT IS FURTHER ORDERED The ten day stay described in Bankruptcy Rule 4001(a)(3)
20 is waived upon relief.

21 **** END OF ORDER ****
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COURT SERVICE LIST

DEBTOR

Manuel Mendez Menchaca
1122 Santa Fe Way
Salinas, CA 93901

COUNSEL FOR DEBTOR

Christopher Alliotts
Law Offices of Christopher Alliotts
60 West Alisal Street #10
Salinas, CA 93901

TRUSTEE

John W. Richardson
5161 Soquel Drive #F
Soquel, CA 95073

US TRUSTEE

Office of the U.S. Trustee / SJ
U.S. Federal Bldg
280 S 1st St. #268
San Jose, CA 95113

JUDGE'S COPY

The Honorable Judge Arthur S. Weissbrodt
280 S. First Street
San Jose, CA 95113

ATTORNEY FOR MOVANT

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